



City of Lemon Grove

REGULAR CITY COUNCIL MEETING

MAY 2, 2023

CALL TO ORDER

PLEDGE OF ALLEGIANCE

CHANGES TO THE AGENDA

Presentations

Proclamation - Public Works Week

PUBLIC COMMENT

- Please fill out and submit a speaker slip to the City Clerk **BEFORE** the item on the agenda has been heard at the City Council Meeting to address the Council.
- Speaker slips are located at the entrance of the Chambers.

ALL SPEAKER RELATING TO PUBLIC COMMENT WILL HAVE 3 MINUTES TO ADDRESS COUNCIL UNLESS OTHERWISE INDICATED BY THE MAYOR.

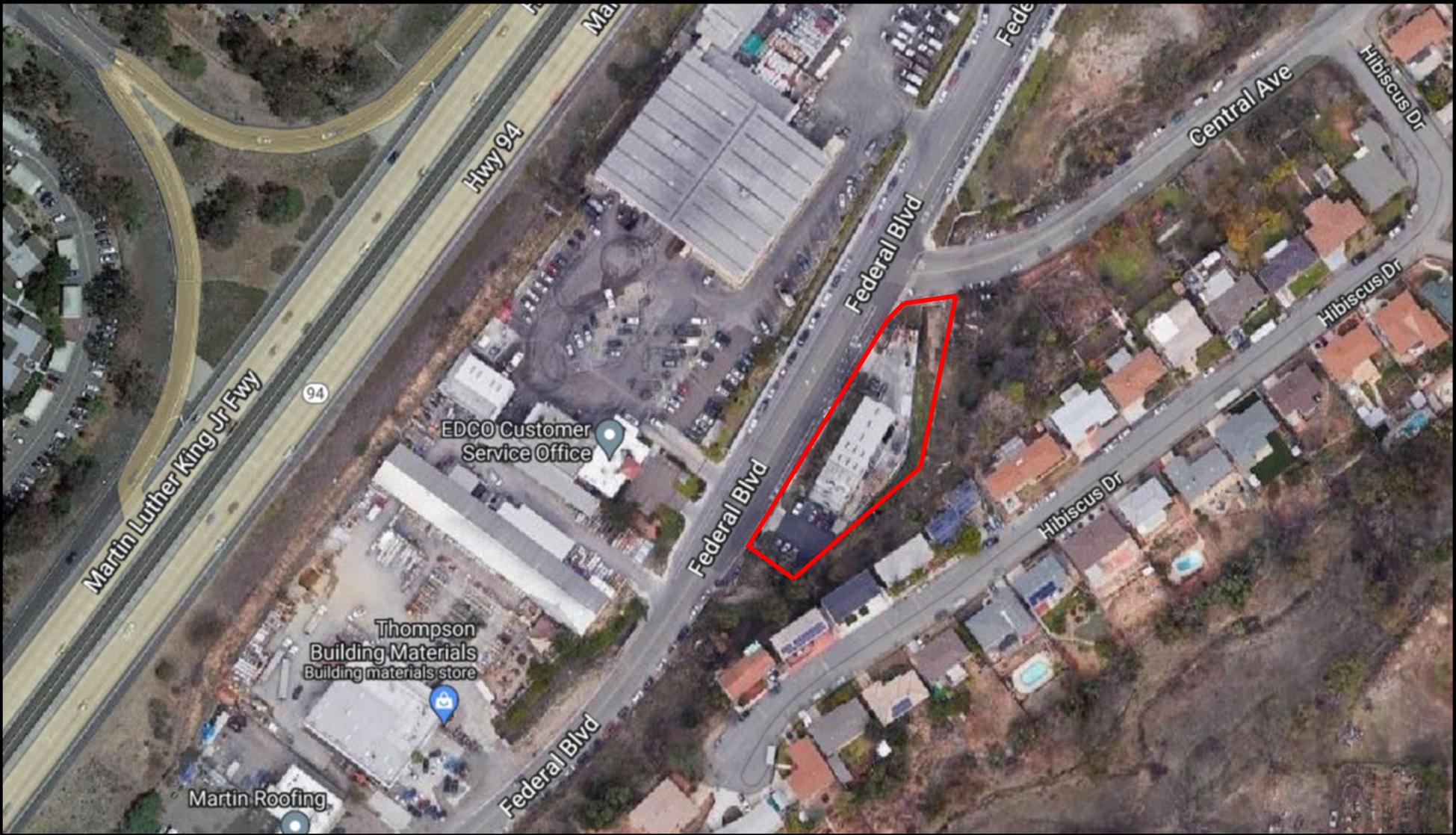
CONSENT CALENDAR

2. PUBLIC HEARING

Public Hearing to Consider Conditional Use Permit Application CUP-210-0001, a Request to Establish a Cannabis Dispensary Retail Store at 6691 Federal Boulevard in the Light Industrial Zone

(APN-478-172-01-00)

Site Location: 6691 Federal Blvd.



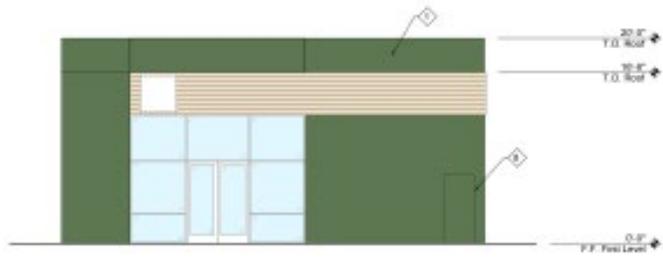
Existing Warehouse Building



Project Rendering

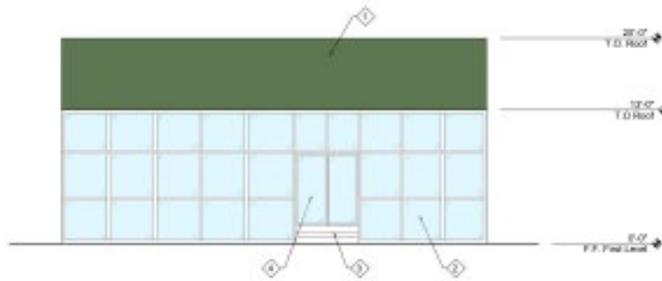


Elevations



19. East Exterior Elevation

Scale: 3/16" = 1'-0"



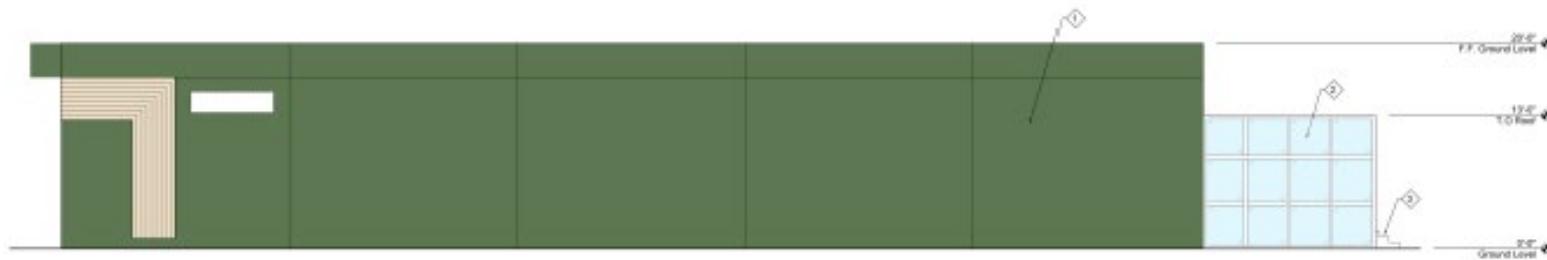
11. West Exterior Elevation

Scale: 3/16" = 1'-0"



18. South Exterior Elevation

Scale: 3/16" = 1'-0"



17. North Exterior Elevation

Scale: 3/16" = 1'-0"

Cannabis Dispensary History on Project Site

11/08/2016	Voters in the City of Lemon Grove passed Measure V allowing MMDs.
02/25/2019	Element 7 (Applicant) filed a MUP for early separation findings MUP-190-0002.
05/19/2019	Development Services Director approved MUP-190-0002.
09/15/2020	Applicant filed another MUP for early separation findings MUP-200-0004.
12/03/2020	Community Development Manager approved MUP-200-0004.
01/11/2021	Applicant filed a CUP application for Cannabis Dispensary CUP-210-0001.
04/05/2023	After three review cycles CUP-210-0001 was deemed complete.

Operations Manual

Medical and Recreational Use Cannabis Dispensary

Hours of Operation 8AM-8PM 7 days/week

Complies with Lemon Grove Municipal Code
Chapter 17.32 Cannabis Regulations

Conditions of Approval

63 conditions specifically related to the operation of a Cannabis Dispensary.

Conditions of Approval

Chollas Creek: Provide an access/open space easement for maintenance, weed abatement (remove invasive species), replanting and slope stabilization.

Conditions of Approval

Public Improvements:

New Sidewalks and Driveway Aprons.

Stripe bike lane and parking lane on Federal Boulevard.

Conditions of Approval

Undergrounding of Utilities: In-Lieu fee agreement, and

Covenant Not-to-Oppose the formation of an undergrounding district.

CEQA Determination

Categorical Exemption Section 15301
“Existing Facilities”

Recommendation

Conduct the Public Hearing;

Receive Public Comment; and

Adopt a Resolution finding the project exempt from CEQA and approving CUP-210-0001 for a Cannabis Dispensary at 6691 Federal Boulevard.



ELEMENT 7 LEMON GROVE
6691 FEDERAL BLVD

**FOCUSED LOCAL &
EXPERIENCED
DAY-TO-DAY
RETAIL TEAM**



ELEMENT 7



ROBERT DIVITO
CEO



JOSH BLACK
COO / CMO



AMBER NORWOOD
COMPLIANCE



SHEILA MERCHANT
LEGAL



NICK TSAMBAZIS
RETAIL OPERATIONS

FOUNDED IN
SOUTHERN
HUMBOLDT, CA



ELEMENT 7



**EXPERIENCED
ORGANIZED
CANNABIS
OPERATOR**



**CALIFORNIA'S LOCAL
CANNABIS RETAILER**



ROBUST RETAIL OPERATIONS



Element 7 Rio Dell
Southern Humboldt Flagship Store



Element 7 South San Francisco
400+ Deliveries a Day



Element 7 Marina
Monterey County Store



Element 7 Express Port Hueneme
Ventura County Store



ELEMENT 7

ROBUST RETAIL OPERATIONS



Element 7 Mendota
Central Valley Location



Element 7 Firebaugh
Central Valley Location



Element 7 Chula Vista
Flagship SoCal Location



San Luis Obispo
Coastal Store Location



VERTICALLY INTEGRATED BUSINESS PLAN



HOLISTIC WELLNESS LAB



**INTERACTIVE LEARNING
CENTER**



**VERTICALLY INTEGRATED
BUSINESS MODEL**



DELIVERY SERVICE

BEST-IN-CLASS SECURITY SYSTEMS



Security Shutters & Panic Buttons



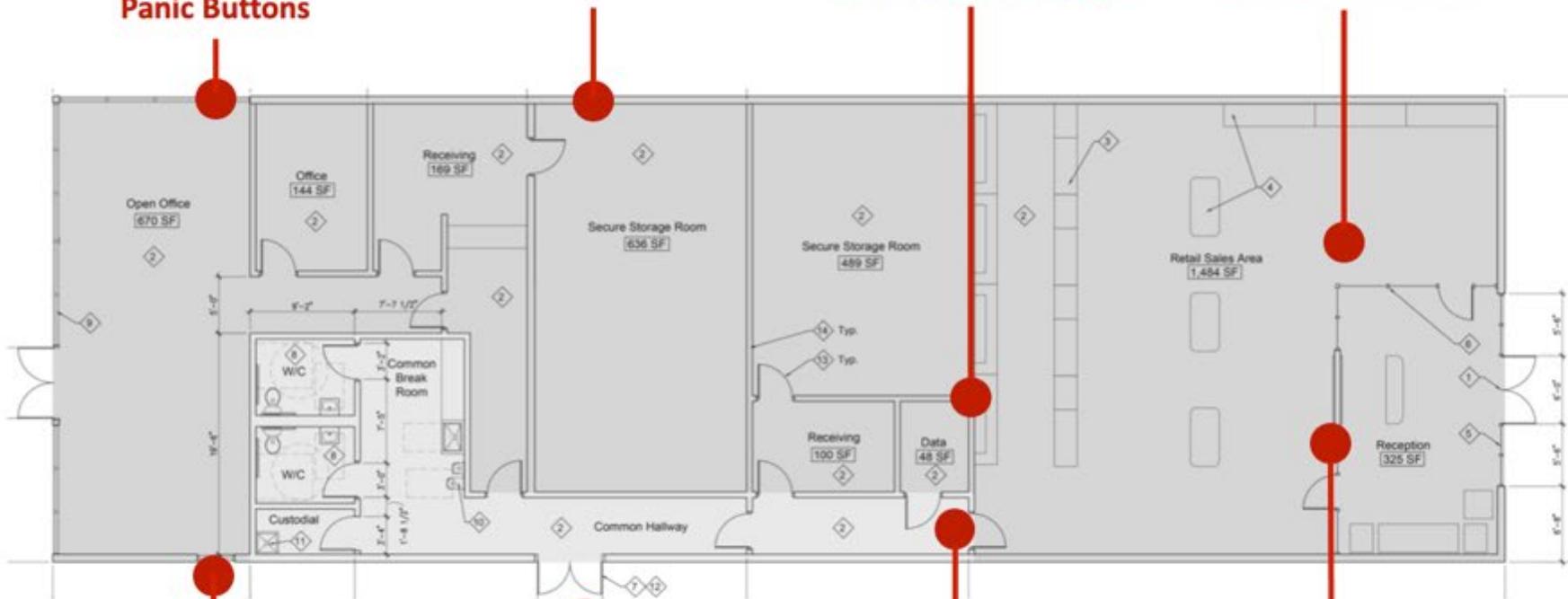
Steel Plated Walls



Door Access Controls



Secure Data Room



'Man Trap' Lobby & Guard



36 x 4K Cameras



Transactions Monitored



Secured Storage & Separate Vault Room



E7 POSITIONING ATTRACTS BROAD CUSTOMER GROUP & MAXIMIZES TAXES



Age Group	% of Customer Base	% of Gross Sales
21-29	34.62%	34.80%
30-39	23.08%	22.33%
40-49	15.38%	17.11%
50-59	12.82%	10.53%
60+	14.10%	15.23%

The Element 7 brand has strong resonance across a broad range of consumer groups which we've designed through the aesthetics of the store, the products we carry, how we market out brand, and the outreach work we constantly put forward in the communities we do business in. **43% of our customers are 40+.**



CANNABIS WITH A CONSCIENCE



Benefits Fee
(Gross Receipts)

Staff Volunteer
Program

Young Leaders
Mentorship
Program

100% Local Staff

Support for Local
Non-Profits

Youth Education
Program

Local Community
Engagement
Manager

SB34 Veterans
Cannabis
Medicine

Preference for
Local Suppliers
and Vendors

Community
Education
Programs

5-Person
Community
Advisory Board

Support for
Annual Programs
– e.g. 9/11



DID YOU KNOW THAT 9 OUT OF EVERY 10 ILLEGAL CANNABIS GROW SITES IN CALIFORNIA USE LETHAL PESTICIDES LIKE CARBOFURAN, POTENT ENOUGH TO KILL A 300-POUND BEAR?

WHAT'S IN YOUR CANNABIS?

ONLY BUY CANNABIS YOU CAN TRUST FROM A LEGAL, LICENSED, CONTROLLED AND COMPLIANT OPERATOR.



COMPLIANCE AT THE HEART OF OUR OPERATIONS



ELEMENT 7

Retailers – Compliance Inspection Checklist

Section 1. General Information

Date of Inspection: _____
 Conducted By: _____
 Location: _____
 License: _____
 1 - Notes: _____

Index	
Section 1.	General Information
Section 2.	Access to Retail Premises
Section 3.	Hours of Operation
Section 4.	Sale of Goods
Section 5.	Return of Cannabis Goods
Section 6.	Free Cannabis Goods
Section 7.	Packaging and Labeling
Section 8.	Deliveries
Section 9.	Inventory
Section 10.	Security
Section 11.	Records Retention
Section 12.	Cannabis Waste
Section 13.	Retailer to Retailer Transfers

Legend	
13 CCR	Food & Agriculture Regulations
16 CA BPC	The Medical and Adult-Use Cannabis Regulation and Safety Act (the "Act")
16 CCR	Bureau of Cannabis Control Regulations
17 CCR	Manufactured Cannabis Safety Regulations
104 HSC	Health Safety Code
30 PBC	Public Resources Code
BCC	Bureau of Cannabis Control (retailers, distributors, testing laboratories, microbusinesses, and temporary cannabis events)
CDFA	California Department of Food & Agriculture (cultivators)
CDPH	California Department of Public Health (Manufacturing)
MCLB	Manufacturing Cannabis Licensing System

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Retailers – Compliance Inspection Checklist

Section 2. – Access to Retail Premises

Questions	Ref	Yes	No
2a. For retailers with only an A-designation, access to the licensed premises is limited to individuals who are at least 21 years of age.	16 CCR § 14610		
2b. For retailers with only an M-designation, access to the licensed premises is limited to individuals who are at least 18 years of age and have a valid physician's recommendation for medicinal cannabis, and individuals who are at least 21 years of age.	16 CCR § 14610		
2c. For retailers with both an A-designation and an M-designation, access to the licensed premises is permitted to individuals both noted in 2a. and 2b. above.	16 CCR § 14610		
2d. Access may be granted to an individual to the retail area to purchase cannabis goods only after the retailer or an employee of the retailer has confirmed the individual's age and identity by inspecting the following valid forms of identification:	16 CCR § 14610 16 CCR § 14610		

I.D. Requirements	Yes	No
2d (i). A document issued by a federal, state, county, or municipal government, or a political subdivision or agency, including, but not limited to, a valid motor vehicle operator's license, that contains the name, date of birth, height, gender, and photo of the person.		
2d (ii). A valid identification card issued to a member of the Armed Forces that includes the person's name, date of birth, and photo.		
2d (iii). A valid passport issued by the United States or by a foreign government.		

1 - Notes: _____

Section 3. – Hours of Operation

Questions	Ref	Yes	No
3a. As a licensed retailer, sales and deliveries of cannabis goods are only made between the hours of 6:00 a.m. Pacific Time and 10:00 p.m. Pacific Time.	16 CCR § 14611		

1 - Notes: _____

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Retailers – Compliance Inspection Checklist

Section 4. – Sale of Goods

Questions	Ref	Yes	No
4a. A licensed retailer or at least one employee is physically present in the retail area at all times when individual customers who are not employees of the licensed retailer are in the retail area?	16 CCR § 14610		
4b. All sales of cannabis goods take place within the retail area of the retailer's licensed premises and no sales are made through a drive-in or drive-through window, except as noted below?	16 CCR § 14610 16 CCR § 14610(a)		

Exceptions to Drive-up/Drive-through Window, if Prior to June 1, 2018	Yes	No
4b. (i). The retail licensee or applicant received a license or permit from the local jurisdiction for a premises including a drive-in/drive-through window that was disclosed on the local application.		
4b. (ii). The retail licensee or applicant submitted an application to the local jurisdiction for a license or permit which, at the time of submission, included information that a drive-in/drive-through window was already part of, or proposed to be part of, the premises, and after June 1, 2018, the local jurisdiction approved the premises with a drive-in/drive-through window.		

Requirements	Yes	No
4c. Cannabis goods for inspection and sale are only displayed in the retail area.		
4d. While cannabis goods may be removed from their packaging and placed in containers to allow for customer inspection, the containers may not be readily accessible to customers without assistance of retailer personnel. In this regard, containers are provided to customers by the licensed retailer or its employees, who remain with the customer at all times while the container is being inspected by the customer.		
4e. Cannabis goods removed from their packaging for display shall not be sold or consumed, and such cannabis no longer used for display is destroyed in accordance with all applicable waste management laws?		
4f. A licensed retailer shall not make any cannabis goods available for sale or delivery to a customer unless:		

Requirements	Yes	No
4f. (i). The cannabis goods were received by the retail licensee from a licensed distributor or licensed microbusiness authorized to engage in distribution.		
4f. (ii). The licensed retailer verified the cannabis goods have not exceeded their best-by, sell-by, or expiration date if one is provided.		
4f. (iii). In the case of manufactured cannabis products, the product complies with all requirements of The Act and applicable Regulations.		
4f. (iv). The cannabis goods have undergone laboratory testing as required.		
4f. (v). The batch number is labeled on the package of cannabis goods and matches the batch number on the corresponding certificate of analysis for regulatory compliance testing.		

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Retailers – Compliance Inspection Checklist

Section 7. – Packaging and Labeling

Questions	Ref	Yes	No
7a. We do not package or label cannabis goods, except that we may place a barcode or similar sticker on the packaging of cannabis goods to be used in inventory tracking. A barcode or similar sticker placed on the packaging of a cannabis goods shall not obscure any labels required by the law.	16 CCR § 14610(a)		
7b. All cannabis goods sold at our licensed retail operation shall be in compliance with packaging requirements* including:	16 CCR § 14610(a) 16 CCR § 14612		

Requirements	Yes	No
7c. (i). Cannabis or cannabis products purchased by a customer do not leave the licensed retail premises unless they are placed in an opaque and package.		
7c. (ii). Beginning January 1, 2020, a package containing cannabis shall be resealable, tamper-evident, and child resistant.		

* Notwithstanding subsections 7a) and 7b) above, immature plants and seeds sold by a licensed retailer are not required to be placed in resealable, tamper-evident, child resistant packaging.

1 - Notes: _____

Section 8. – Deliveries

Questions	Ref	Yes	No
8a. Deliveries of cannabis goods are performed by a delivery employee who is directly employed by the licensed retailer.	16 CCR § 14610		
8b. Each delivery employee of the licensed retailer is at least 21 years of age.	16 CCR § 14610		
8c. Are all deliveries of cannabis goods made in person and not through the use of an unlicensed vehicle?	16 CCR § 14610		
8d. As a licensed retailer we ensure that during the process of delivery, our delivery employee does not engage in any activities except for cannabis goods delivery and necessary rest, fuel, or vehicle repair stops?	16 CCR § 14610		

Note: The process of delivery begins when the delivery employee leaves the retailer's licensed premises with the cannabis goods for delivery. The process of delivering ends when the delivery employee returns to the retailer's licensed premises after delivering the cannabis goods, or attempting to deliver cannabis goods, to the customer(s).

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Element 7 Quarterly Audit Scorecard

OUR LABOR PLANS BUILD COMMUNITIES

Living Wages

Matched 401K
Contributions

Stock Option
Plans

Health Care &
Dental

Continuous
Learning Benefits

80-Hours of
Class-room
Training

Internships at
Chula Vista
facility

**100% Staff Hired
Locally**

Partnership with
The Academy of
Cannabis Science



ELEMENT 7



SAFETY PLANS KEEP OUR CUSTOMERS AND STAFF SAFE



ELEMENT 7

Incident Report

Document workplace incidents and injuries using the front and back of this report.

Name (Affected Individual)	Date
Time	Site / Location of Event (Address)
Name of Other Persons Involved	Name and Phone Number (Person Filing Out Report)

- Incident Type:
- Injury - First Aid
 - Injury - Medical/Emergency Treatment
 - Property Damage
 - Equipment Failure
 - Theft

Specific Location of Event (e.g. On third floor of Building A, near elevator shaft)	Emergency Services or Police called? Y/N Reason why/why not:
Incident Description (Include all events that led up to the incident and resolution efforts following the incident)	Root Cause (Check all that apply)

NEIGHBORHOOD COMPATIBILITY



ELEMENT 7

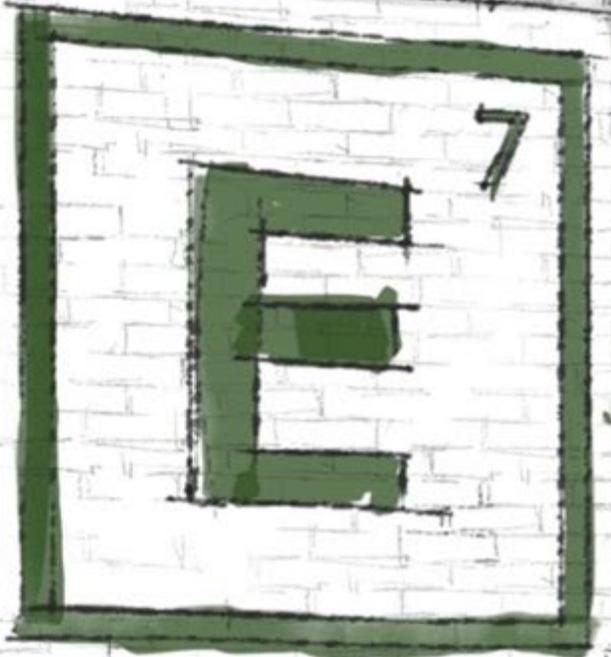


- Quarterly Visits to all Neighbor Businesses & Residents
- Email Database with Newsletter
- Local Community Relations Manager
- Bi-Annual Outreach Events (Forums)
- Dedicated Feedback Email / Phone
- Quarterly City Reports
- Top-to-Top Security Briefings
- 100 Point Vendor Management Program
- Youth Mitigation Policies

- Emergency Response: 24-Hr Resolution
- Centralized Online Tracking Platform
- Open Door Policy with Law Enforcement & City Officials
- Noise / Lighting Management Plans
- Traffic & Parking Management Plans
- Odor Control (3rd Party – 15000 Inc.)
- Waste Management Reduction Plan



ELEMENT 7



ELEMENT 7

JOSH BLACK
Josh@e7ca.com

6691 Federal Boulevard
Cannabis Dispensary (CD) Retail Store
CUP-210-0001

City of Lemon Grove City Council Regular Meeting
Tuesday, May 2, 2023, 6:00 pm
Lemon Grove Community Center
3146 School Lane, Lemon Grove, CA 91945



10. Aerial Photograph Site Location

Scale: not to scale

Legend



- Project Site

Project
**Element 7 Cannabis Retail
 Conditional Use Permit**

6691 Federal Blvd.
 Lemon Grove, CA 91945

Issue:
 01 06.15.2022 CJIP Re-submittal

Drawing Name:
 Aerial Photo
 Site Location

Drawing Number:

A0.10

Parking Calculations:

See Traffic and Parking Analysis completed by Lincoff Law & Greenspan Engineers for additional information.

Building Uses and Areas:

Proposed Retail/Business Gross Area:	1,809 SF GLA
Proposed Storage/Warehouse Gross Area:	2,457 SF GLA
Proposed Office Gross Area:	814 SF GLA
TOTAL:	5,080 SF GLA

Required Parking	
Retail/Business 1809 SF / 500	= 4 Spaces
Storage/Warehouse 2457 SF / 500	= 5 Spaces
Office 814 SF / 500	= 2 Spaces
Total Spaces Required	= 11 Spaces

Accessible Spaces:	2 (including 1 ADA Van and 1 ADA Car)
Parking Spaces On Site:	14

Total Parking Spaces:	16
Total Parking Required:	11 Spaces
Total Parking Provided:	16 Spaces

Site Plan General Notes:

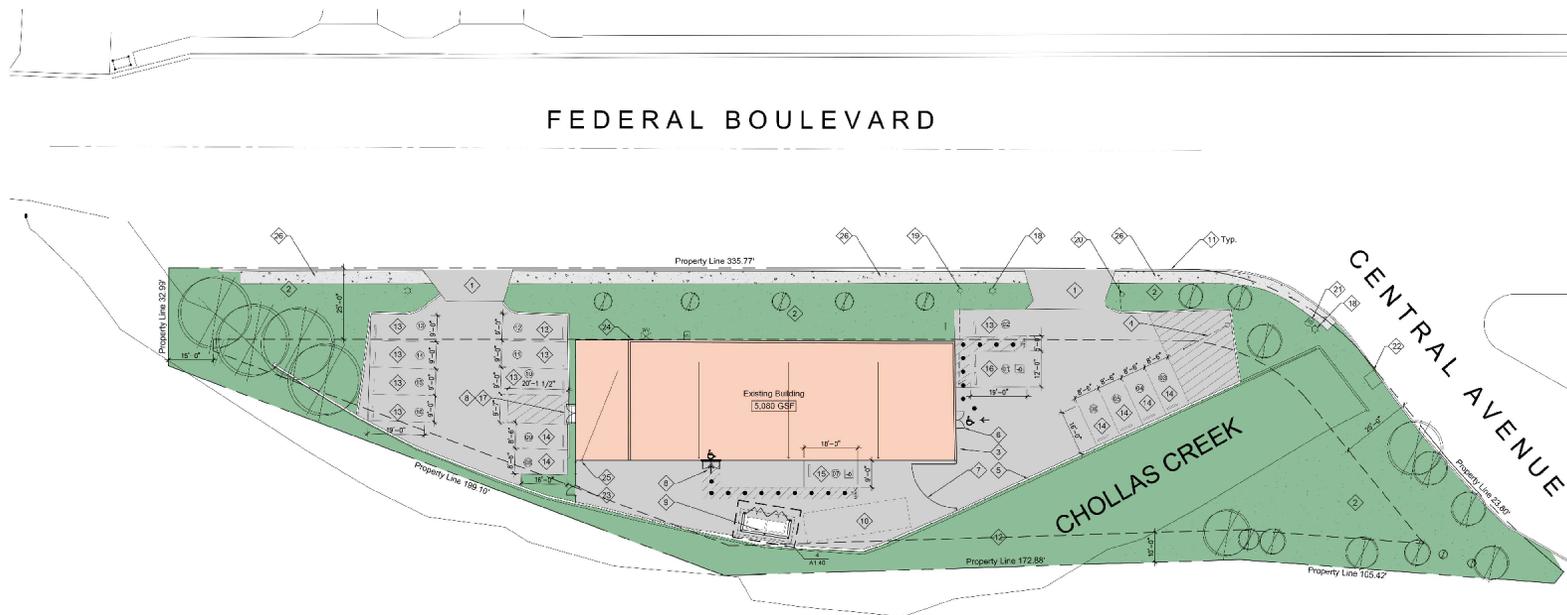
A. See civil engineering drawings for additional information.

Site Plan Keynotes:

- Existing driveway to be reconstructed. See Civil.
- Existing landscape area to remain.
- New bike rack.
- Existing utility power pole and guy wire to remain.
- Existing chain link fence along creek to remain.
- Main entry to medical marijuana dispensary.
- New 6ft vehicular security gate. Fence materials: black steel frame with horizontal 1"x4" rewood planks.
- Receiving door and staff entrance.
- New covered trash and recycling enclosure to meet the requirements of Section 17 24.050(M).
- Wholesale delivery and trash pick-up vehicle parking, 11'x35' minimum.
- Property line.
- Chollas Creek tributary.
- Standard parking space.
- Compact parking space.
- ADA parking space.
- ADA van space.
- Existing stair and door to remain.
- Existing street light to remain. Location to be field verified.
- Existing utility pole to remain. Location to be field verified.
- Existing "No Parking" sign to remain. Location to be field verified.
- Existing street light box to remain. Location to be field verified.
- Existing storm drain to remain. Location to be field verified.
- New 6ft wood fence with gate. Fence materials: black steel frame with horizontal 1"x4" rewood planks.
- New downspout.
- Existing downspout to remain.
- New sidewalk. See Civil.

Site Plan Legend:

- Property Line
- Floor markings per CBC 11B-502.3
- Accessible Path of Travel
- Accessible Entrance
- Exterior Security Lighting
- Parking count sub-total for parking bay



17. Site Plan
Scale: 1/16" = 1'-0"

Kristi Byers, Architect
Architecture
Design
Sustainability

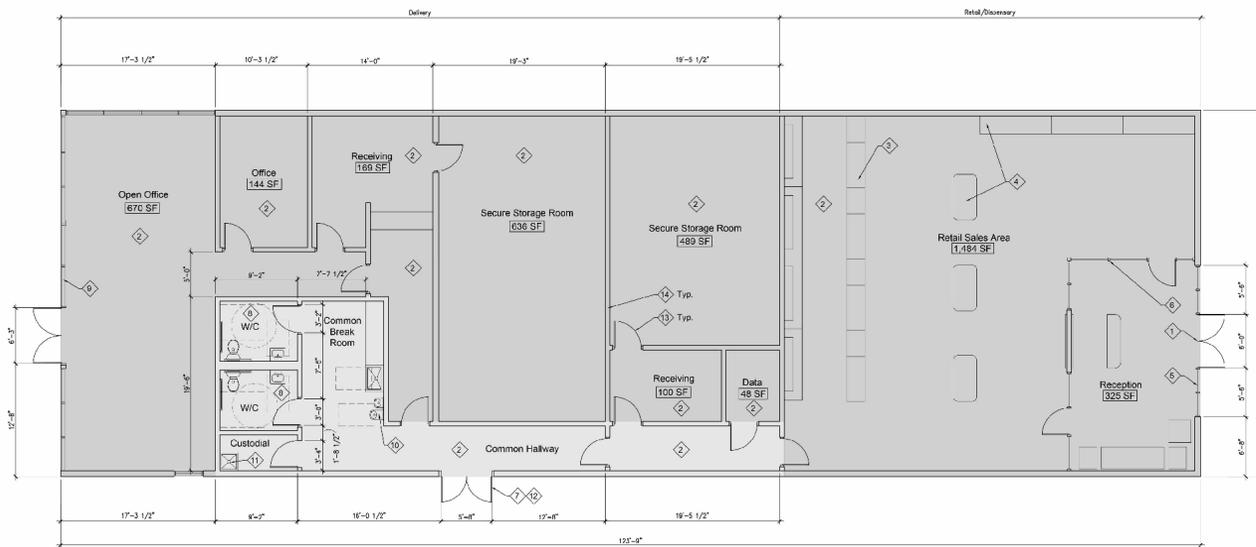


Project
Element 7 Cannabis Retail
Conditional Use Permit
6691 Federal Blvd.
Lemon Grove, CA 91945

Date:
01 05.15.2022 CJP/Reu/Arbiter
02 01.23.2023 CJP/Reu/Arbiter

Drawing Name:
Site Plan

Drawing Number:
A1.00



17. Proposed Floor Plan
Scale: 3/16" = 1'-0"

Proposed Floor Plan Keynotes:

1. Main entry to marijuana dispensary.
2. Limited access area.
3. Point-of-sale counter.
4. Millwork displays.
5. New exterior storefront.
6. New interior storefront.
7. Wholesale delivery and staff entry door.
8. New ADA compliant restroom.
9. Existing exterior storefront to remain.
10. New drinking fountain.
11. New custodial sink.
12. New exterior door.
13. New interior door.
14. New non-bearing partition.

Floor Area Summary

First Floor C indicates accessory use.

Space	Square Footage	Occupancy Type
RETAIL	3,484 SF	R-1
STORAGE	2,417 SF	S-1
OFFICE	614 SF	U
Shop 1848	3,080 SF	

Project

Element 7 Cannabis Retail
Conditional Use Permit

6691 Federal Blvd.
Lemon Grove, CA 91945

Issue

- 01 06.15.2022 CJP/Roussell/B
- 02 01.24.2023 CJP/Roussell/B

Drawing Name:

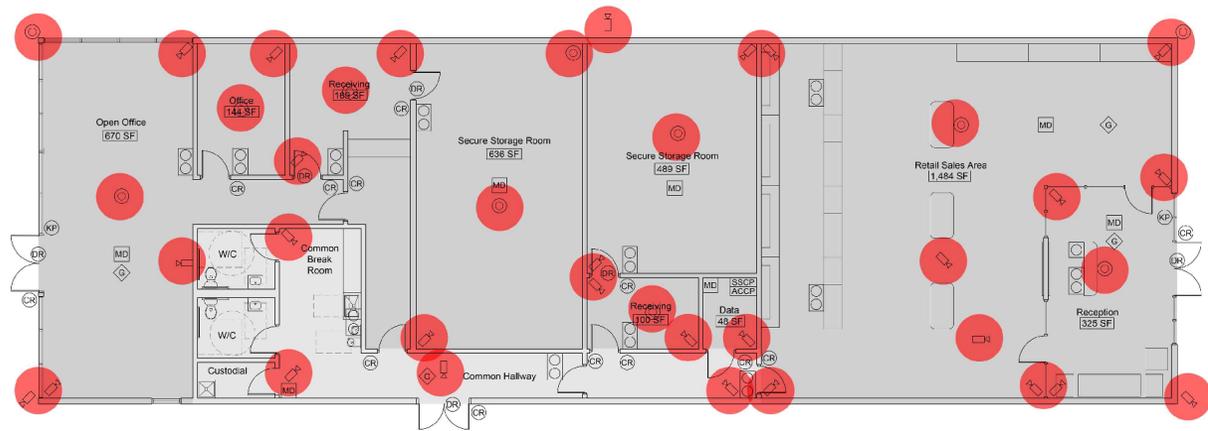
Proposed Floor Plan

Drawing Number:

A2.00

Kristi Byers, Architect
Architecture
Design
Sustainability





Proposed Security Plan Legend:

-  Security Camera - 90 degree coverage
-  Security Camera - 360 degree coverage
-  Glass Break Sensor
-  Motion Detector
-  Card Reader
-  Door Contact
-  Key Pad for Alarm
-  Security System Control Panel
-  Access Control Panel
-  Panic Button with Police Notification
-  Door Release for Customer Access to Sales Floor

17. Proposed Security Plan

Scale: 3/16" = 1'-0"



Project:

**Element 7 Cannabis Retail
Conditional Use Permit**
6691 Federal Blvd.
Lemon Grove, CA 91945

Issue:

- 01 05.15.2022 OLP Re-submittal
- 02 01.26.2023 OLP Re-submittal

Drawing Name:

Proposed Security Plan

Drawing Number:

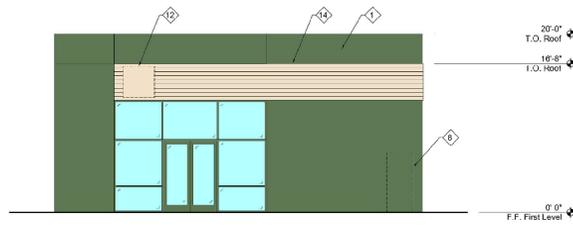
A2.10



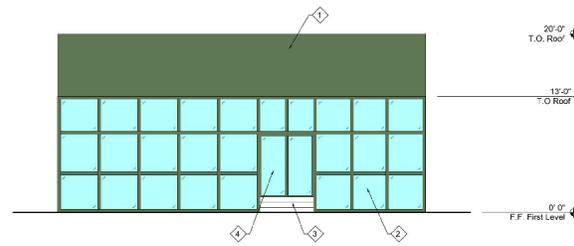
Exterior Elevations Keynotes:

1. Existing concrete tilt-up wall to receive exterior cementitious plaster to create smooth surface, paint.
2. Existing exterior glazing system to remain.
3. Existing stairs to remain.
4. Existing storefront doors to remain.
5. Existing construction joint to remain.
6. Replace existing hollow metal doors and frame with new hollow metal doors and frame.
7. Replace existing wood siding with new exterior plaster, paint.
8. Existing door to be removed. Reframe this area and patch with exterior plaster to match adjacent surfaces.
9. New 1 x 6 exterior grade wood slats.
10. New exterior storefront system.
11. Main entry to cannabis retail storefront.
12. Proposed 42"x42" sign location.
13. Proposed 24"x60" sign location.
14. New wood treatment.

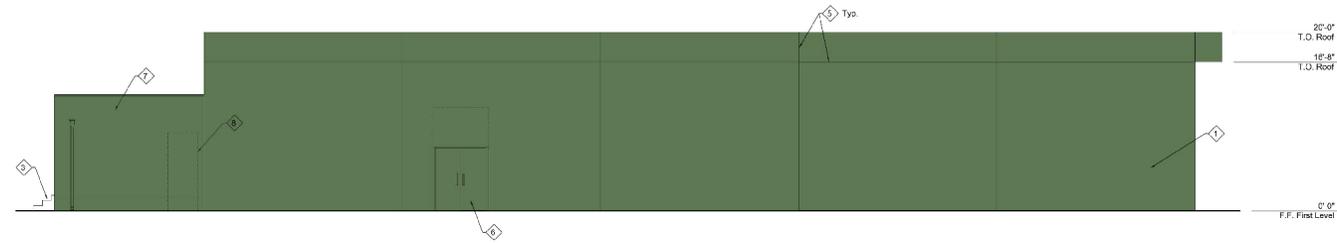
Kristi Byers, Architect
 Architecture Design Sustainability



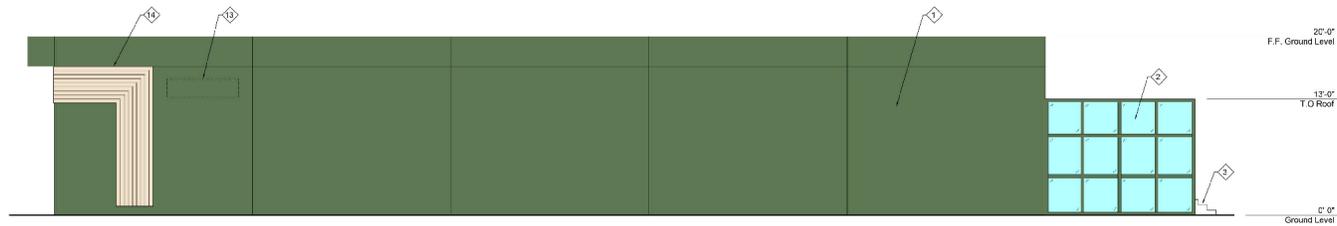
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Scale: 3/16" = 1'-0"



11. West Exterior Elevation
Scale: 3/16" = 1'-0"



18. South Exterior Elevation
Scale: 3/16" = 1'-0"



17. North Exterior Elevation
Scale: 3/16" = 1'-0"

Project

Element 7 Cannabis Retail
Conditional Use Permit
 6691 Federal Blvd.
 Lemon Grove, CA 91945

Revisions

- | | | |
|----|------------|------------------|
| 01 | 05.15.2022 | CLIP Resubmittal |
| 02 | 01.26.2023 | CLIP Resubmittal |

Drawing Name:

Exterior Elevations

Drawing Number:

A3.00

PRELIMINARY RENDERING



** Please note that this is a concept rendering created to reflect the applicant's goals for improving the building and site. The final design may change in minor ways once the building permit plans are finalized.*

PROJECT SUMMARY

- All City of Lemon Grove plancheck comments have been cleared.
- This project is in conformance with the City of Lemon Grove Municipal Code.
- This project makes the required Conditional Use Permit Findings as follows:
 - This use is compatible with the neighborhood or the community.
 - This use is not detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity.
 - This use complies with the performance standards according to Lemon Grove Municipal Code Section 17.24.080.
 - This use is consistent with applicable provisions of the particular zoning district (Light Industrial - LI) and with policies and standards of the general plan.
- This project makes the required Cannabis-specific Findings as follows:
 - Approval of the proposed use will NOT violate the minimum requirements set forth in Lemon Grove Municipal Code Chapter 17.32 for distance separations between establishments which dispense, process or cultivate cannabis; and separations between establishments which dispense, process or cultivate cannabis and other specific regulated or protected land uses as set forth in Chapter 17.32.
 - The proposed use complies with Title 17 of the Lemon Grove Municipal Code.

We ask that you adopt a Resolution finding the project is exempt from CEQA Pursuant to Section 15301 and conditionally approving Conditional Use Permit CUP-210-0001 to allow a Cannabis Dispensary (CD) Retail Store at 6691 Federal Boulevard, Lemon Grove, California.

Thank you!

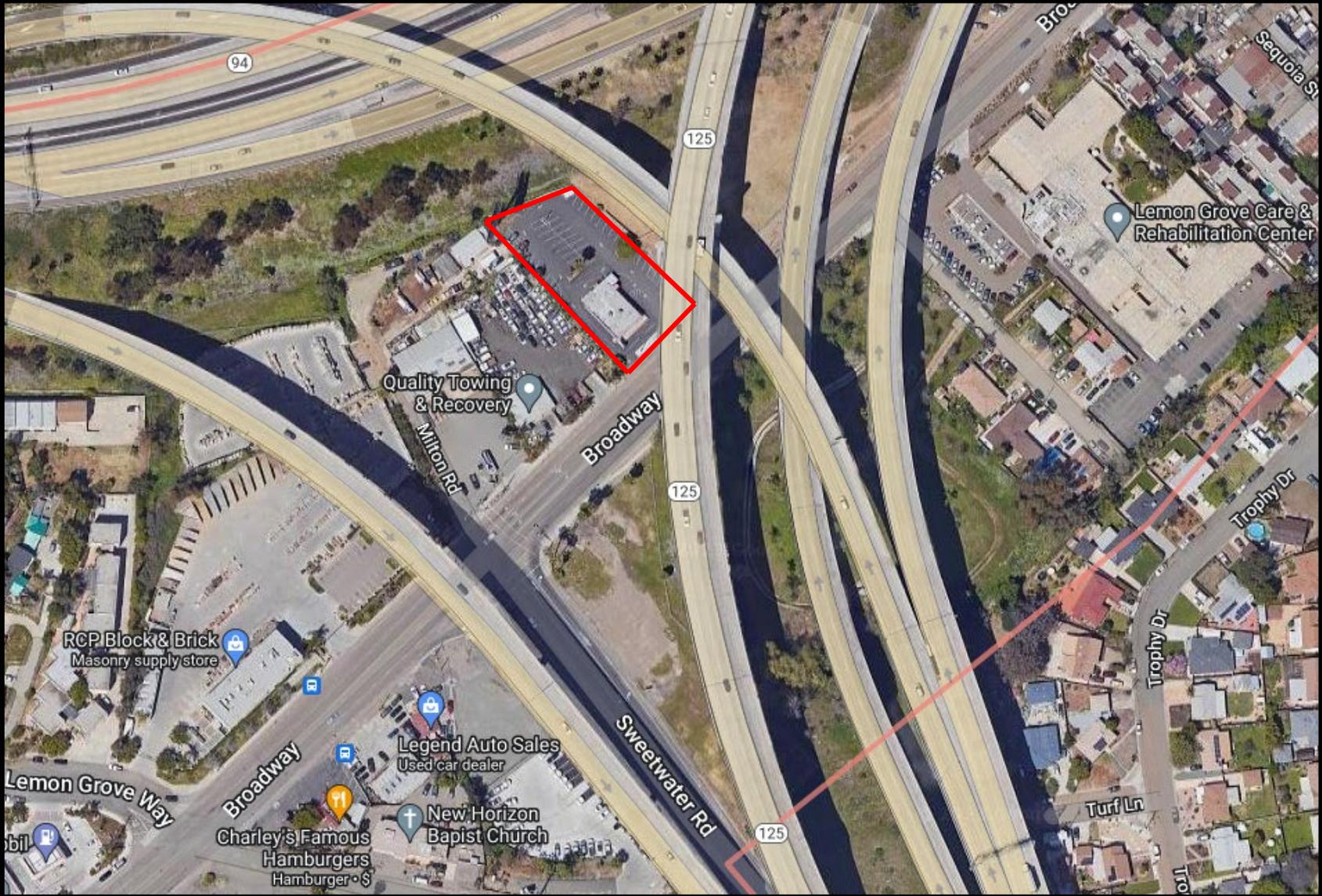
RECOMMENDATION:

Adopt a Resolution finding the project is exempt from CEQA Pursuant to Section 15301 and conditionally approving Conditional Use Permit CUP-210-0001 to allow a Cannabis Dispensary (CD) Retail Store at 6691 Federal Boulevard, Lemon Grove, CA.

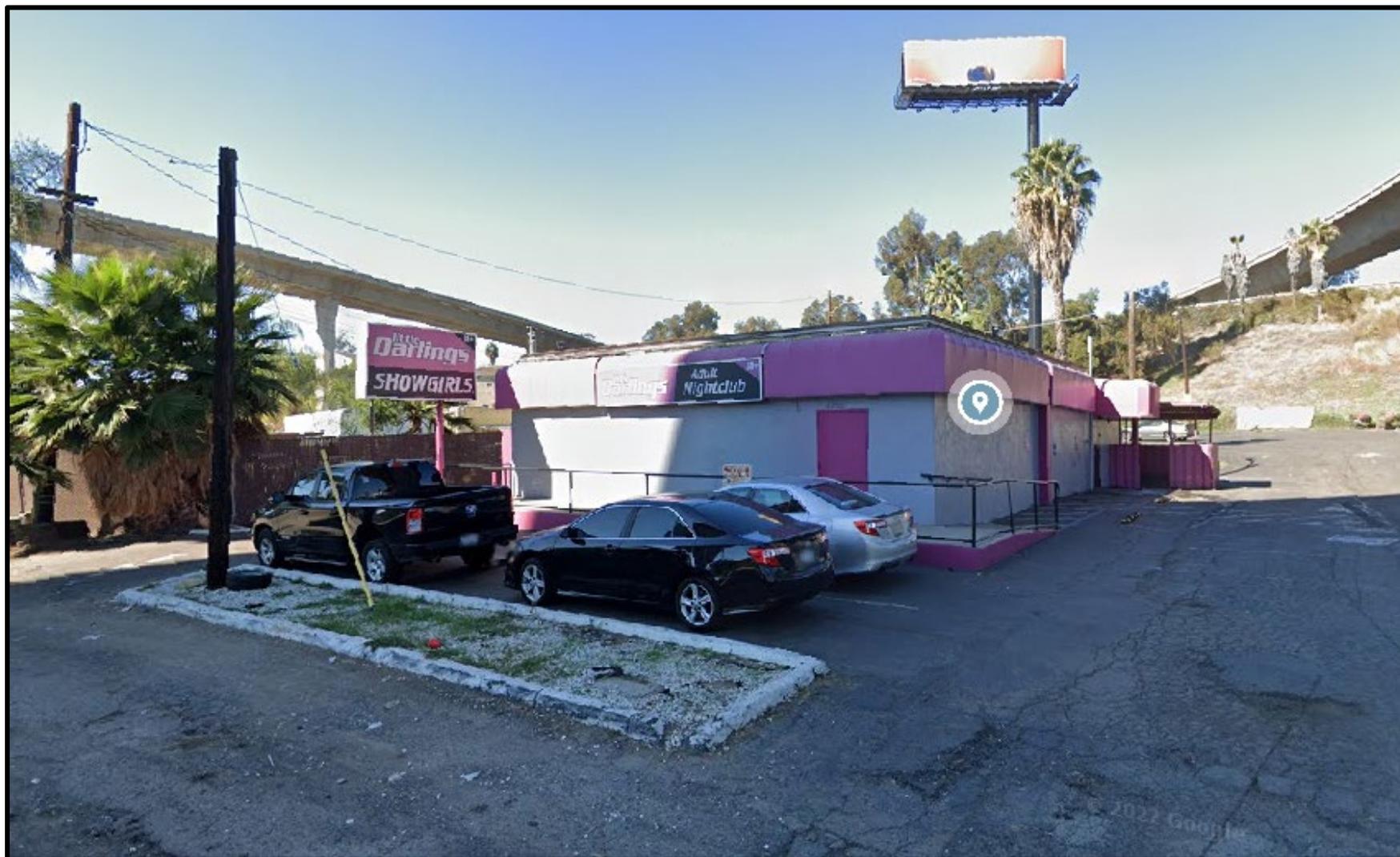
3. PUBLIC HEARING

Public Hearing to Consider Conditional Use Permit Application CUP-210-0002, a Request to Establish a Cannabis Dispensary Retail Store at 8290 Broadway in the Heavy Commercial Zone (APN-499-200-19-00)

Site Location: 8290 Broadway



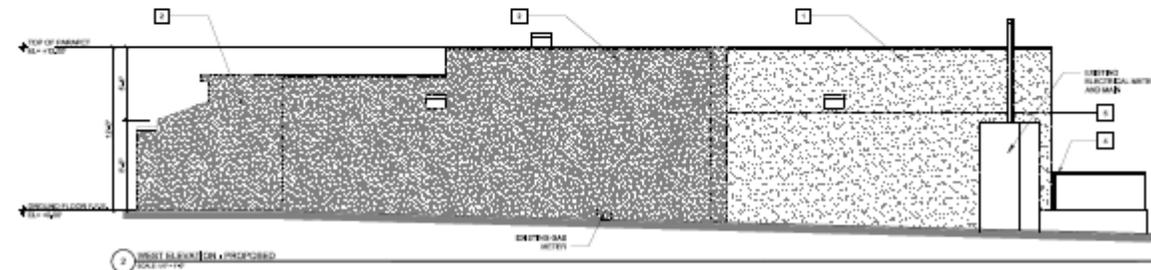
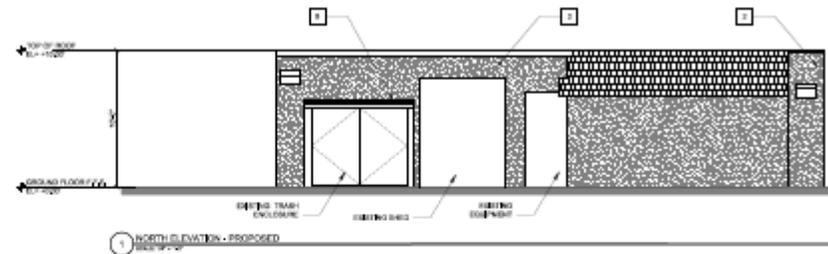
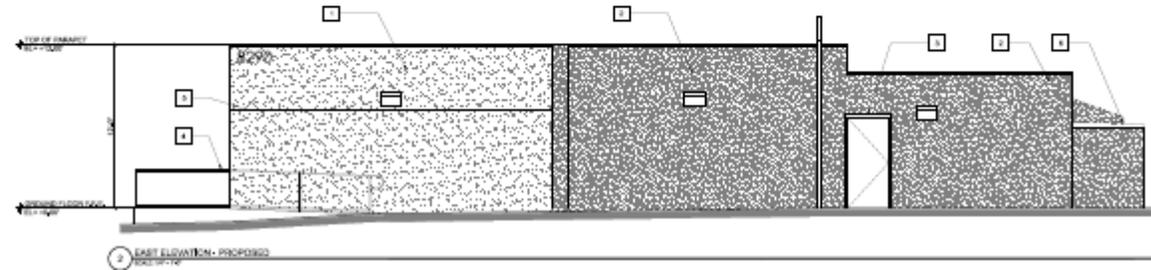
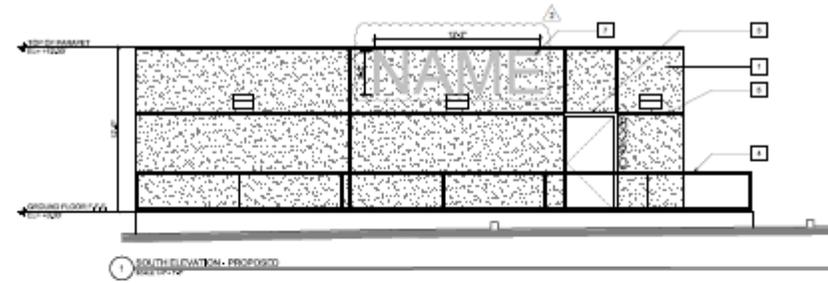
Existing Building



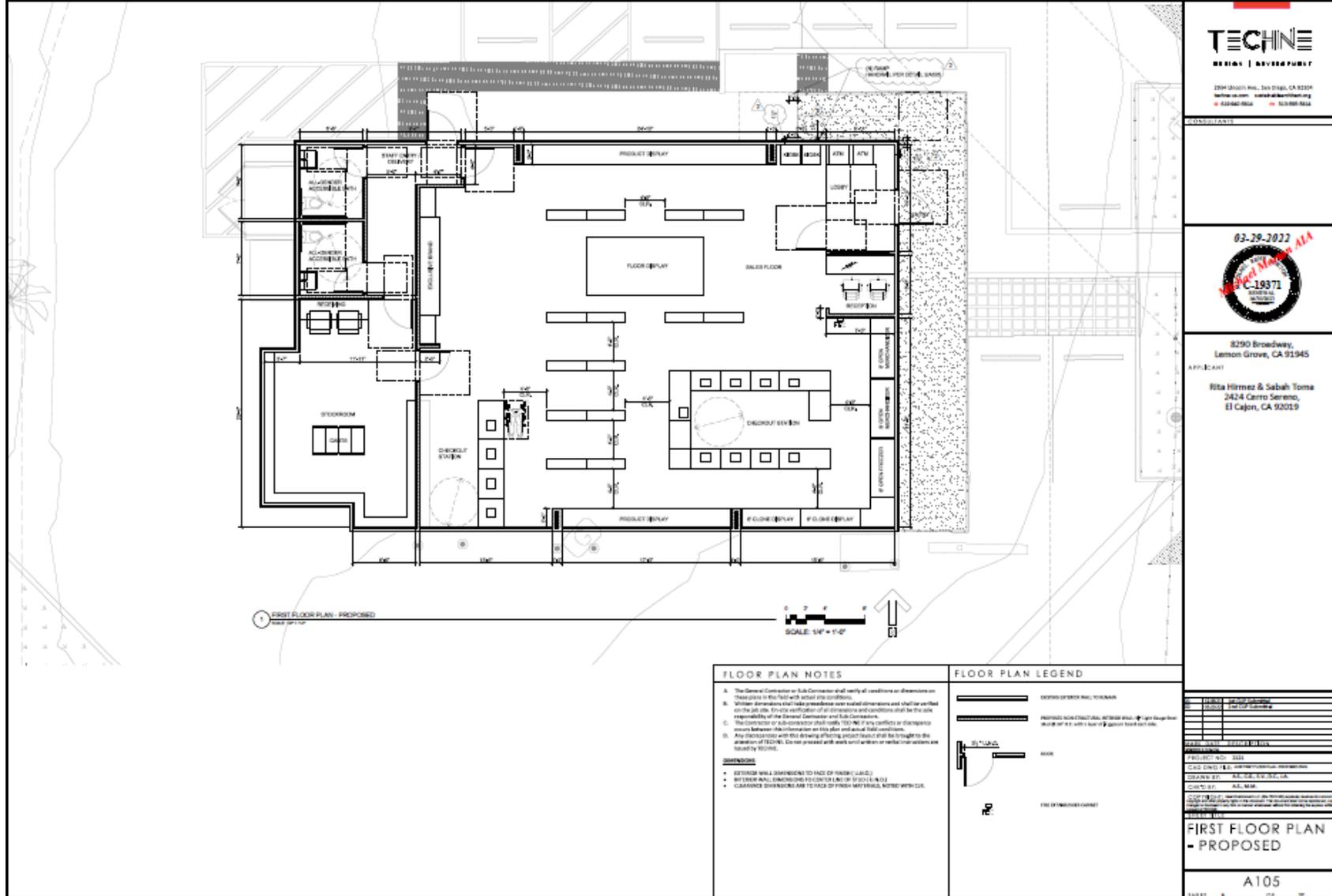
Project Rendering



Elevations



Floor Plan



FLOOR PLAN NOTES

- The General Contractor or Sub-Contractor shall verify all conditions or dimensions on these plans in the field with actual site conditions.
- When dimensions shall take precedence over noted dimensions and shall be verified on the job site. On-site verification of all dimensions and conditions shall be the sole responsibility of the General Contractor and Sub-Contractors.
- The Contractor or sub-contractor shall notify TECH NE if any conflicts or discrepancies occur between the information on this plan and actual field conditions.
- Any discrepancies with this drawing of Plans, project levels shall be brought to the attention of TECH NE. Do not proceed with work until written or verbal instructions are issued by TECH NE.

DIMENSIONS

- EXTERIOR WALL DIMENSIONS TO FACE OF FINISH (LAID)
- INTERIOR WALL DIMENSIONS TO CENTER LINE (S/D) (S/L)
- CLEARANCE DIMENSIONS ARE TO FACE OF FINISH MATERIALS, UNLESS NOTED OTHERWISE.

FLOOR PLAN LEGEND

EXTERIOR EXTERIOR WALL TO FINISH

INTERIOR INTERIOR WALL TO FINISH

FINISH FLOOR

FINISH CEILING

FINISH DOOR

FINISH WINDOW

FINISH STAIR

FINISH ELEVATOR

TECH NE
DESIGN | DEVELOPMENT

2204 GROOMY HILL, SAN DIEGO, CA 92104
techne.com | contact@techne.com
954.940.1800 | 954.940.1800

03-28-2022
C-19371

8290 Broadway,
Lemon Grove, CA 921945

APPLICANT
Rita Hirmez & Sabah Toma
2424 Cerro Sereno,
El Cajon, CA 92019

FIRST FLOOR PLAN - PROPOSED

A105

Dispensary History - Project & Surrounding Sites

11/08/2016	Voters in the City of Lemon Grove passed Measure V allowing MMDs.
12/09/2021	Applicant filed MUP & CUP applications for a Cannabis Dispensary (CD) at 8290 Broadway .
01/28/2022	Applicant appealed CDM decision to approve MUP-210-0007 at 8280 Broadway .
04/05/2022	City Council denied the appeal and approved MUP-210-0007 at 8280 Broadway .
04/19/2022	City Council approved CUP-200-0001 for a CD at 8280 Broadway .
05/10/2022	CUP-210-0002 deemed complete at 8290 Broadway . Applicant waived 60-day hearing req.
04/04/2023	City Council denied time extension for CUP-200-0001 at 8280 Broadway .
04/05/2023	MUP-210-0007 expired at 8280 Broadway .
04/19/2023	CUP-200-0001 expired at 8280 Broadway .
04/19/2023	New MUP application filed for a CD at 8280 Broadway .
04/20/2023	City Council Hearing Date Scheduled and Advertised for CUP-220-0002 at 8290 Broadway .

Operations Manual

Medical and Recreational Use Cannabis Dispensary

Hours of Operation 6AM-10PM 7 days/week

Complies with Lemon Grove Municipal Code
Chapter 17.32 Cannabis Regulations

Conditions of Approval

63 conditions specifically related to the operation of a Cannabis Dispensary.

Conditions of Approval

New Sidewalks, Landscaped Parkway, Street Trees and Driveway Aprons.

Conditions of Approval

Undergrounding of Utilities or In-Lieu fee agreement, and

Covenant Not-to-Oppose the formation of an undergrounding district.

CEQA Determination

Categorical Exemption Section 15301
“Existing Facilities”

Recommendation

Conduct the Public Hearing;

Receive Public Comment; and

Adopt a Resolution finding the project exempt from CEQA and approving CUP-210-0002 for a Cannabis Dispensary at 8290 Broadway.



8290 Broadway – Cannabis Dispensary

CUP-210-0002

City of Lemon Grove City Council Hearing

May 2, 2023

Project Location



End of Broadway Commercial Corridor

Heavy Commercial Zone

General Business Land Use Designation

Easy Access from SR-94 and SR-125

Project Description

- **Revitalization of Neglected Adult-Use Entertainment Facility to Remodeled Cannabis Dispensary**
 - Interior Remodel, Parking Lot Repaving & Restriping, ADA Improvements, Curb and Sidewalk Improvements, Landscape Improvements, and Repainting of Building's Exterior
- **2,510.77 Square-Foot Cannabis Dispensary Space**
- **34 Parking Spaces (2 more than required)**
- **Retail Sale of Cannabis Products to 21+ Customers (18+ for medical use)**
- **Security Features: Exterior Lighting, 24/7 Surveillance, Alarm System, Security Guard, Limited Access Areas, and Monitored Entry to Retail Sales Floor**
- **Experienced and Well-Capitalized Operators**

Experienced and Well-Capitalized Operators

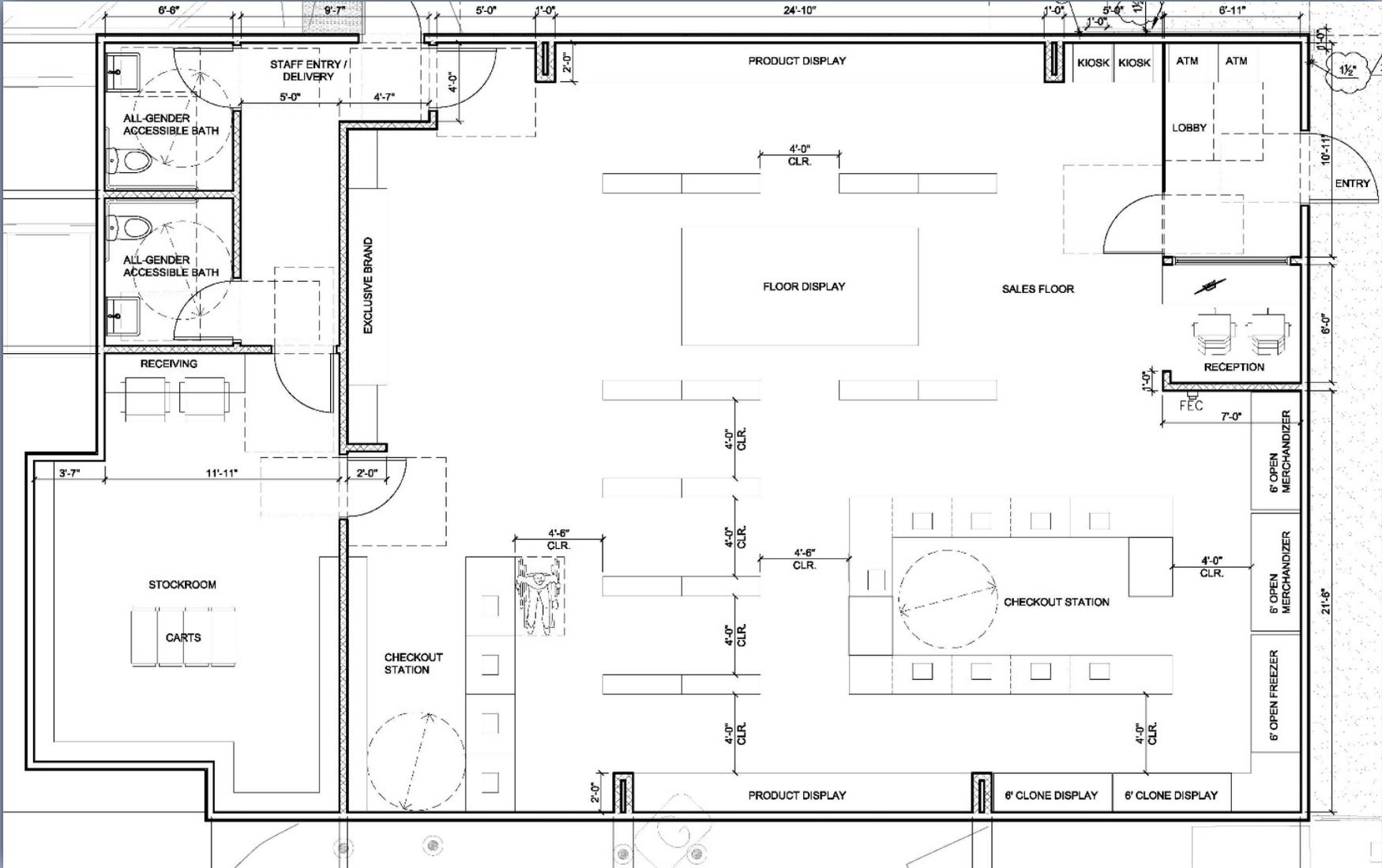
Applicant Rita Hirmez = Experienced Cannabis Retail Operator in San Diego County

- Current Cannabis Projects & Locations
 - Cannabis Dispensary at 2605 Camino Del Rio South (City of San Diego)
 - Cannabis Dispensary at 7584 University Ave (City of La Mesa)
 - Cannabis Dispensary at 8160 Parkway Drive (City of La Mesa)
- In-depth expertise navigating the legal, regulatory, and financial complexities of cannabis industry

Project is Self-Funded and Well-Capitalized

- Access to significant resources to comfortably cover:
 - Initial start-up costs (construction costs, hiring, marketing)
 - Meet on-going operational expenses (rent, utilities, inventory, payroll)
 - Expand and grow business (launch new products, new partnerships)
 - Withstand unforeseen challenges or setbacks (supply chain disruptions)

Proposed Floor Plan



NORTH

Property Site

Current Property Conditions



Revitalized Property Conditions



Project Exceeds Separation Requirements

LGMC Section 17.32.090(B)

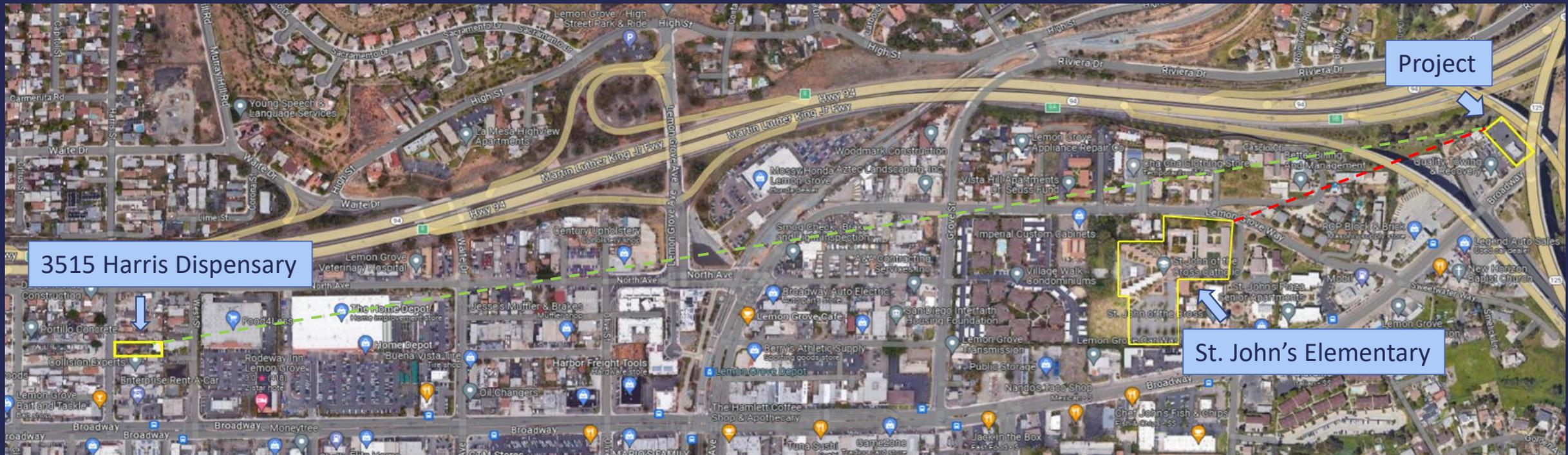
Dispensary shall not be located within 1000' of a *Regulated Use* (Other Dispensaries) or a *Protected Use* (School, Day Care, Treatment Center, Public Park, Playground).

Closest Regulated Use: 3515 Harris St. Cannabis Dispensary

Closest Protected Use: St. John's Elementary School

Property Line to Property Line Measurements

- - - Approx. 5,966 feet between Project and Dispensary
- - - Approx. 1,177 feet between Project and School



Project Furthers General Plan

General Plan's Community Development Element

Objective 4.0: Expansion of commercial enterprises, light industries, and professional services

- **Policy 4.1**: Promote Lemon Grove as a business and commercial hub to serve the SR-94 freeway corridor bedroom communities.
- **Policy 4.2**: Expand shopping and entertainment opportunities through revitalization of the Broadway commercial district and downtown village.
- **Policy 4.3**: Cultivate small businesses.
- **Policy 4.4**: Attract economic growth and increase property values by investing in public improvements throughout the City.
- **Policy 4.5**: Continue ongoing communication with the business community to identify economic development constraints and opportunities.
- **Policy 4.6**: Promote economic development that positively impacts community health and social justice in addition to job availability, economic revitalization, and tax revenues.

CUP Findings Can Be Made

General CUP Findings (LGMC Section 17.28.050(C)(1)-(4))

1. The *use* is compatible with the neighborhood or the community;
2. The *use* is not detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity;
3. The *use* complies with performance standards according to Section 17.24.080;
4. The *use* is consistent with applicable provisions of the particular zoning district and with policies and standards of the *general plan*.

Cannabis Dispensary Findings (LGMC Section 17.32.080(A)-(B))

- A. Whether the approval of the proposed use will violate the minimum requirements set forth in this chapter for distance separations between establishments which dispense, process or cultivate *cannabis*; and separations between establishments which dispense, process or cultivate *cannabis* and other specific regulated or protected land uses as set forth in this chapter.
- B. Whether the proposed use complies with Title 17 of the Lemon Grove Municipal Code.

Questions?

The image features a dark blue background with several abstract, overlapping geometric shapes in shades of teal and light blue on the right side. The shapes are composed of various triangles and polygons, creating a dynamic, layered effect. The word "Questions?" is centered in the upper half of the image in a white, sans-serif font.

RECOMMENDATION:

Adopt a Resolution finding the project is exempt from CEQA pursuant to Section 15301 and conditionally approving Conditional Use Permit CUP-210-0002 to allow a Cannabis Dispensary (CD) Retail Store at 8290 Broadway, Lemon Grove, CA.

REPORTS TO COUNCIL

4. Affirming Limitations on the Two-Year EDCO Corporation Rate Schedule.

Presented by: Lydia Romero, City Manager, City Manager's Department



Background

- EDCO, a local company headquartered in Lemon Grove.
- Provides solid waste disposal services to Lemon Grove under a franchise granted by the City Council in 1978.
- Utilizes a two-year rate structure.
- Current rate schedule, affirmed by resolution, is in effect through June 30, 2023.

Discussion

- City staff met with EDCO staff to review their request to increase maximum rates for FY 2023-24 & FY24-25.
- Basic Residential Service: **\$2.23** monthly increase
 - From \$27.57 to \$29.80 per month (3-yard bin)
- Commercial Service: **\$8.72** monthly increase
 - From \$122.57 to \$131.29 per month (3-yard bin)
- State mandated Commercial Organics Recycling Services is billed separately.
 - Additional Cost of \$92.59 (65 gallon)

Proposed Rates for FY 23-24 & FY 24-25

Service	Current Rate	Proposed Rate	Actual Increase	Percent Increase
Basic Residential Service (recycling, green waste, & refuse)	\$27.57	\$29.80	\$2.23	8.1%
Additional Cart Service	\$3.14	\$3.14	\$0.00	0.0%
Senior Residential Service (seniors 62+ with income under \$30,000)	\$22.06	\$23.84	\$1.78	8.1%
Silver Bag Service (seniors 62+)	\$3.84	\$4.15	\$0.31	8.1%
3-yard bin once per week	\$122.57	\$131.29	\$8.72	7.1%
3-yard bin twice per week	\$206.94	\$221.65	\$14.71	7.1%
3-yard bin three times per week	\$291.33	\$312.04	\$20.71	7.1%
3-yard bin four times per week	\$375.70	\$402.41	\$26.71	7.1%
3-yard bin five times per week	\$460.09	\$492.80	\$32.71	7.1%
3-yard bin six times per week	\$544.45	\$583.16	\$38.71	7.1%

Exclusive Franchise Agreement

- EDCO's Solid Waste and Recycling Agreement allows for annual rate adjustments.
- Adjustments must be based on changes in the Consumer Price Index (CPI) and Tipping Fees.
- City Council can place limitations on EDCO's rates to ensure a competitive rate.
- Resolution establishes maximum rate during the next two fiscal years.
- EDCO has right to set rates within limits set out by the City Council.

Factors Impacting the Solid Waste Industry

- Landfill Tipping Fees
- Cost of Fuel and Labor
- Cost to Comply with State Regulations
- Loss in Offsetting Revenue from the sale of recycled materials due to a poor market
- **Result:**
 - Higher than projected increase to the CPI.
 - EDCO request to raise their rates ceiling
 - City Council can set maximum rates

Fiscal Impact

- The rate increases will not have a significant impact on the City's general fund budget.

Recommendation:

Staff recommends that the City council adopt a resolution affirming the two-year ECDO Rate Limitations for FY 2023-24 and 2024-25.



5. REPORT TO COUNCIL

Second Reading and Adoption of Sanitation District Ordinance No. 33 – Amending Ordinance No. 32 of the Lemon Grove Sanitation District Describing Methods for Calculating Sewer Service Charges

RECOMMENDATION:

Adopt Ordinance No. 33 amending Ordinance No. 32 of the Lemon Grove Sanitation District Describing Methods for Calculating Sewer Service Charges.

CITY COUNCIL REPORTS ON MEETINGS ATTENDED AT THE EXPENSE OF THE CITY

CITY MANAGER REPORT

CLOSED SESSION

ADJOURNMENT
